

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

LI SHAOMING, MO HAILONG, a/k/a Robert Mo, WANG LEI, WANG HONGWEI, YE JIAN, and LIN YONG,

Defendants.

Criminal No. 4:13-cr-147

STIPULATION AND [PROPOSED]
ORDER REGARDING DISCOVERY
AND MOTION DEADLINES

The Office of the United States Attorney, Southern District of Iowa, by and through Assistant United States Attorney Jason T. Griess, and Defendant Mo Hailong (“Mo”), by and through his undersigned counsel, have conferred regarding certain discovery and motion deadlines. The parties stipulate below to the current schedule and proposed revisions, and jointly request that the Court adopt the proposed revisions as a Scheduling Order in this case.

1. Mr. Mo was arrested in the Southern District of Florida on December 11, 2013. Following his initial appearance, Mr. Mo was detained pending a detention hearing on December 13, 2013. On December 20, 2013, following the hearing, Mr. Mo was ordered detained pending trial by United States Magistrate Judge Dave Lee Brannon.

2. Thereafter, the Bureau of Prisons transferred Mr. Mo to the Southern District of Iowa, where he remains detained.

3. Mr. Mo made his initial appearance in the Southern District of Iowa before Magistrate Judge Ross A. Walters on January 24, 2014, and was arraigned before this Court on the Indictment on January 29, 2014.

4. Pursuant to this Court's Order dated February 7, 2014, Mr. Mo must file any appeal of Magistrate Judge Brannon's detention order by March 7, 2014.

5. The Minute Order issued by Judge Walters for the proceedings held on January 29, 2014 sets the following deadlines:

- Rule 16 material by: 2/10/2014
- Reciprocal discovery by: 2/24/2014
- Pretrial motions by: 3/7/2014
- Plea notification deadline: 3/17/2014
- Motion to continue trial deadline: 3/17/2014
- Trial scheduled for: 3/31/2014

6. Pursuant to the February 13, 2014 Order of Magistrate Judge Celeste F. Bremer, Mr. Mo must file a motion for a bill of particulars by March 7, 2014.

7. Pursuant to Southern District of Iowa, Local Criminal Rule 12, the deadline for the filing of any motions, notices, and requests under Federal Rules of Criminal Procedure 12(b), 12.1(a)(1), 12.2(a) and (b), and 12.3(a); all notices and requests pursuant to the Federal Rules of Evidence; and all other non-trial-related motions not covered by Judge Walters' January 29 minute order or Judge Bremer's February 13 order is 28 days following the defendant's arraignment—February 26, 2014.

8. The parties have been engaged in serious discussions regarding a potential stipulation that would address alternatives to pre-trial detention. In addition, the parties have been working diligently to address issues regarding the exchange of information about the case.

9. The parties have made substantial progress with these discussions. However, the parties anticipate that the discussions will take longer than the prior court orders and the Local Rules contemplate.

10. Accordingly, the parties stipulate and propose for the Court's consideration that all of the deadlines set forth above be adjourned until a future date. The parties stipulate and propose a status conference in approximately 60 days (approximately late April 2014), at which time new dates may be set.

11. The parties further agree and stipulate, pursuant to Title 18, United States Code, Section 3161, that the time until the status conference may properly be excluded under the Speedy Trial Act, in the interests of justice, as this time will permit the parties to further explore and hopefully resolve issues related to pre-trial detention and the exchange of information regarding the case. Accordingly, the parties respectfully request that the Court exclude from the computation of time under the Speedy Trial Act the time between the issuance of this proposed order and the date of the next status conference, in approximately 60 days.

Respectfully,

ORRICK, HERRINGTON & SUTCLIFFE, LLP

By: /s/ Mark E. Beck

Walter F. Brown, Jr.

Mark E. Beck

405 Howard Street

San Francisco, CA 94105-2669

T: (415) 773-5700

F: (415) 773-5759

Email: wbrown@orrick.com

Email: mbeck@orrick.com

ATTORNEYS FOR DEFENDANT MO HAILONG

**UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT OF IOWA**

By: /s/ with permission

Jason T. Griess

Assistant United States Attorney

United States Attorney's Office

110 E. Court Avenue, Suite 286

Des Moines, IA 50309

T: (515) 473-9302

Email: jason.griess2@usdoj.gov

[PROPOSED] SCHEDULING ORDER

The dates set forth in the parties' stipulation, filed February 26, 2014, are hereby adjourned. The next status conference shall be held on _____, 2014.

Pursuant to Title 18, United States Code, Section 3161, the time from the date of this order until the status conference shall be excluded from calculation under the Speedy Trial Act, as the ends of justice served by the exclusion of time outweigh the best interest of the public and the defendant in a speedy trial, because such exclusion shall permit the parties to explore and possibly resolve issues related to bail and the exchange of information regarding the case.

SO ORDERED.

Dated: February __, 2014

THE HONORABLE ROBERT W. PRATT

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon the parties to this action by serving a copy upon each of the attorneys listed below on February 26, 2014, by

- | | |
|---|--|
| <input type="checkbox"/> U.S. Mail | <input type="checkbox"/> FAX |
| <input type="checkbox"/> Hand Delivered | <input type="checkbox"/> Electronic Mail |
| <input type="checkbox"/> FedEx/Overnight
Carrier | <input checked="" type="checkbox"/> CM/ECF |

Jason T. Griess
Assistant United States Attorney
United States Attorney's Office
110 E. Court Avenue, Suite 286
Des Moines, IA 50309
Jason.Griess2@usdoj.gov

Signature: /s/ Robin A. Linsenmayer
Robin A. Linsenmayer